

Clarion

NEWSPAPER OF THE PROFESSIONAL STAFF CONGRESS / CITY UNIVERSITY OF NEW YORK



APRIL 2017



WORKLOAD Members testify to council

The union presses a plan to give faculty more time with students.

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Dave Sanders

FACULTY, STAFF, STUDENTS

UNITED FOR FULL FUNDING

For the past several weeks, the PSC has joined with other CUNY advocates, including the University Student Senate, in an intense lobbying effort for a state budget that fully funds CUNY and will enable it to hire 1,000 new full-time faculty

members, raise adjunct pay to \$7,000 per course and provide real affordability to students. The campaign has taken many forms, including multiple trips to Albany, demonstrations, media outreach and grassroots organizing. **PAGE 3**

CONTRACT

Adjunct activists mobilize

Adjuncts made a significant gain – better job protections – in the current contract. Now, the union is making sure they get their due. **PAGE 4**



ORGANIZING

Committing to the union

Union activists from around the university – full-time and part-time, faculty and staff – gathered in March to discuss how to organize on campus. **PAGE 5**

FEMINISM

Women 'strike' against Trump

On International Women's Day, PSC members came out strong in support of a national day of action for women's rights and equality in the age of President Trump. **PAGE 8**

POLITICS

Constitutional convention vote

There's a vote this fall on whether the state should hold a constitutional convention. Unions say "no," in order to protect workers' rights and public education. **PAGE 9**



LETTERS TO THE EDITOR | WRITE TO: CLARION/PSC, 61 BROADWAY, 15TH FLOOR, NEW YORK, NY 10006. EMAIL: APAUL@PSCMAIL.ORG.

What is an affordable rent?

● President Barbara Bowen's email message about affordable housing, with its invitation to participate in an affordable lottery for units in StuyTown, caused both laughter and outrage among a group of eight people gathered in the history department at the Graduate Center.

Twenty-eight hundred dollars for a single person apartment is not "affordable" to the PSC membership; it is an insult. It adds up to an awesome \$33,600 a year, representing 40 percent of the stated income threshold for lottery participation of \$84,150 pretax income.

And \$84,150 pretax may be about enough to afford the rent on one of these units while also paying for taxes, health insurance and health costs, student debt, professional costs and maintaining a decent standard of living – presumably without significant annual savings – as a single person. But the stated qualification range of \$84,000 to \$110,000 is well above a reasonable definition of "middle income" in this city. It is well above the median income of PSC members.

If the offered "affordable" rent is currently "below market" in a city with a median household income of \$52,223 in 2014 (down from \$55,307 in 2008), then this only highlights the problems with our present economic system and housing market.

Given that, our union has no business legitimizing the developers' insulting idea of what constitutes a middle income, or what ranks as affordable to New Yorkers. The role of a real workers' union concerned with its members would be to take the lead in organizing, making allies and engaging in a broad-based, long-term fight to improve on this intolerable state of affairs.

In our city and metro area, literally millions of people go through hell just to meet the rent. A high proportion of us, nevertheless, live in substandard conditions. Certainly the majority of PSC members, who cannot enter this affordable housing lottery, also suffer.

We are gobsmacked that the union has chosen instead to provide the public relations fig leaf for the developers who have converted Stuyvesant Town and Peter Cooper Village, historically working-class housing projects, into yet more luxury housing for the rich.

Nicholas Levis, Graduate Center



PSC members were invited to participate in a housing lottery for a few below-market units at Stuyvesant Town.

equity firm Blackstone. The city gave Blackstone \$221 million in tax breaks, loans and more; and in exchange, the owner agreed to keep a small number of apartments stabilized at alarmingly high rents. Apparently, a few of those apartments were set aside for public-sector union members.

A two-bedroom "affordable" apartment for PSC members rents for \$3,400 per month. According to the Furman Center's most recent "State of New York City Housing and Neighborhoods" report, that's actually higher than the median asking rent in neighborhood. For this two-bedroom apartment to be considered affordable, a PSC member would have to make \$136,000 per year. As a graduate student and teacher with one of CUNY's best funding packages, I make just \$25,000. A vanishingly small number of highly paid professors could actually afford this housing, while the vast majority of PSC members struggle to find affordable homes and shelter.

Remind me again why we rushed to endorse Mayor Bill de Blasio?

Samuel Stein, Graduate Center and Hunter College

President Barbara Bowen responds: I fully understand that the apart-

ments in the lottery are not "affordable housing." I referred to them as apartments at below-market rates. The rents offered through the lottery are indeed 20 percent below market rates – that's an index of how inflated rates are in this period for that area of Manhattan. The apartments in the lottery are also rent-stabilized, meaning that there are controls on whether and by how much rents can be increased each year.

The union leadership also recognizes that many of our members' salaries are below the range required for participation in the lottery. I understand that it can be angering to hear of opportunities that are out of reach.

But the PSC membership is large and diverse, and we have no way of knowing what members' total household incomes are. We sent the notice to the entire membership because we did not want to make any assumptions about the financial choices members would be in a position to make. Several PSC members have reported that they entered the lottery and were delighted with the opportunity. We will continue to provide information to members about housing opportunities as we are informed of them.

While the lottery is open to people

other than union members, it was created as a result of negotiations with the de Blasio administration, in response to advocacy by the New York City Central Labor Council and several local community groups. The negotiation secured the agreement to reserve fully 40 percent of the apartments in the development for occupancy at below-market rates and on a rent-stabilized basis. Without union and community advocacy and negotiations by the city, all of the apartments would have been offered at market rates, most likely without rent stabilization.

The PSC leadership recognizes how urgent the issue of truly affordable housing is for our members, especially for adjunct instructors, new faculty and many professional staff members. We have met with the mayor and with CUNY management in efforts to create housing opportunities that would work for many more of our members. We will continue to work hard on the issue, one of the most difficult in the city.

No to anti-BDS laws

● As a distinguished professor at CUNY, I feel ethically obliged to support boycott, divestment, sanctions (BDS) – the nonviolent international strategy opposing the Israeli occupation. I also am faculty advisor to Students for Justice in Palestine at the College of State Island, one of nearly 50 chapters growing on both private and public American campuses across our nation, uniting students from a wide range of backgrounds in the struggle for human rights. The State Senate passed two bills that would strip public funding for university groups that engage in BDS activity.

As a teacher, I believe in interactive societies, in which every person has equal access to self-determination, which is achieved through opportunity and free expression. The current Israeli state daily subjects Palestinian students, workers, intellectuals, artists, farmers and average citizens to severe repression, state violence, and deprivation of basic rights of movement, organization and participation in structures of governance. In particular, Palestinian students in Israel are subjected to a separate and underfunded educational system, and Palestinian

students in the occupied territories and areas under siege are obstructed from pursuing their interests in a sane and safe structure of daily life.

These facts are being masked by a smokescreen that labels realistic description of actual conditions as "hate speech" – this is a ploy, manipulating the vocabulary of abuse to hide the aggressive and violent actions of the Israelis. Palestinians, who are falsely depicted as "dangerous," are actually endangered, and deserving of world support, which we are morally compelled to provide by supporting the boycott.

Sarah Schulman, College of Staten Island

The math blames Stein

● In regard to the letter written by David Laibman (Clarion, March 2017) regarding blaming or not blaming third party candidates for the election of Trump, he is incorrect.

In Wisconsin, the 31,000 votes Jill Stein received would have given Hillary Clinton 10 more electoral votes, because she would have won that state. In Michigan, the 51,000 votes Stein received would have given Clinton the state. That's 16 more electoral votes for Clinton bringing her to 258 and Trump down to 280.

In Pennsylvania, Stein won 49,941 votes, and Clinton lost by 44,292. The 20 electoral votes she would have won would have given Clinton 278 and Trump 260, enough for a Clinton victory, and no worries for people who rely on Social Security, Medicare, Medicaid, Veterans Affairs, abortion rights, union rights, public education and so many other things that it is too depressing to go further.

Yes, I'm sorry to say Jill Stein was the cause and I do blame her, just as I did Ralph Nader in 2000. Of course, would the people who were Stein supporters have voted at all? Nobody can say, but I hope that all those who voted for Stein are happy with the outcome that they determined. To go further, so many people stayed home for a variety of reasons, not least of which because they just "didn't care for any of the choices." People who think elections don't matter are fools, plain and simple.

Alan J. Greenhalgh, Borough of Manhattan Community College

Editor's Note: Due to an editing error, a sentence in a letter by Peter Ranis in the January/February 2017 issue of Clarion was accidentally changed. It read, "Voting for a third party has moral repercussions." The intended wording was "mortal repercussions."

High rents and low pay

● On February 21 and 22, I received emails from our union president, Barbara Bowen, informing me of a contractual opportunity to "participate in a lottery for a small number of below-market rental apartments in Manhattan." The units are part of Peter Cooper Village, which was recently purchased by the world's biggest landlord, private

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Fighting for a fully funded CUNY

By ARI PAUL

As *Clarion* went to press, Governor Andrew Cuomo and the leaders of the two houses of the State Legislature were in the final negotiation stages of delivering a state budget. This marked the closing stage of an intense effort led by the PSC and other CUNY advocates, including the University Student Senate (USS), for an increase that would fully fund CUNY after years of disinvestment.

Specifically, the central demand of this union-led effort was clear: the state must provide CUNY with an increased funding stream of \$298 million, which would add \$80 million to the budget to cover 1,000 new full-time faculty lines and raise the per-course pay for adjuncts to \$7,000. And the delivery of this demand came in many forms, from hours of phone calls to state representatives from rank-and-file members to several lobbying trips to Albany with the PSC and its parent union, New York State United Teachers.

All of these efforts have come to-

Intense state lobbying push



Hundreds of CUNY and SUNY students attended Higher Education Lobby Day in Albany.

gether in a massive effort to get a budget that fully funds higher education in the state.

While on one of the lobbying trips to Albany, Queens College

PSC Chapter Chair David Gerwin made the point to lawmakers that there is an interconnected struggle between different types of CUNY workers: low pay for adjuncts ad-

versely affects full-time instructors, and a lack of administrative workers puts a bigger burden on pedagogical workers.

"One of our adjuncts is a full-time high school teacher, so her time on campus is tight," he told *Clarion*. "Seven thousand dollars per course would get her attention in a very different way. Then she could cut back on high school teaching and this could be more of her identity."

He also noted that a depletion among HEOs on his campus had forced full-time faculty members to take on more administrative duties, distracting them from classroom and research responsibilities.

"We need more HEO staff, so there's more sharing of the load," Gerwin said. "We are losing our capacity to do research."

LEGISLATIVE SUPPORT

Gerwin, reflecting on his hours lobbying with fellow union members and USS activists for the full funding of CUNY in Albany, seemed optimistic

that lawmakers in both houses and from both parties understood the importance of funding higher education in the state and took the testimony from the many CUNY student advocates to heart.

Nearly \$300 million is needed for CUNY.

In pushing for a state budget that fully funds public higher education, the PSC produced a television ad featuring a day in the life of student Fatime Uruci of John Jay College.

"I wake up most mornings at 6:30 a.m., in time to say goodbye to my mom, who goes to work at 7 a.m.," she is heard saying in the ad, as the camera follows her from her home on her laborious bus and subway commute to John Jay College's Manhattan campus, where she studies English. "CUNY is amazing. There are students from every background, immigrants from everywhere, students from poor families or working families like mine. We come to CUNY because we know it can provide a pathway to achieving our dreams."

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Report: for a fair budget, state needs revenue

By SHOMIAL AHMAD

The fate of the so-called millionaires' tax, a multibillion dollar revenue generator for the state, was unknown, as the details of the New York State budget were being finalized by state lawmakers at *Clarion's* press time. Assembly Democrats were pushing for an extension and expansion of the tax, which expires this December, while Senate Republicans vied for the tax not to be renewed. In January of this year, Governor Andrew Cuomo called to renew the tax, and said without it, there would be a hole in the state budget.

The PSC, along with other labor and community groups, has been calling on this needed revenue-generator, which could be used for K-12 public education and fully funding CUNY.

"We haven't been faced until now with the kind of dramatic cuts in funding we're about to incur," said PSC First Vice President Michael Fabricant, who noted that New York City has the most millionaires and billionaires of any city in the country, and the state has the greatest income inequality of any state in the country. "The fairest way of approaching [these cuts] is that those who can pay more, should pay more."

BUDGET SHORTFALLS

The state may ultimately have to make up for shortfalls from the federal budget, with President Donald Trump's proposed budget slashing funding for affordable housing, health care research, environmental protection and transportation projects in the state, according to an Associated Press report. The

Millionaires' tax is needed

Fiscal Policy Institute (FPI) calls the extension and expansion of the millionaires' tax a tool to address essential priorities in the state.

"The proposed extension of the millionaires' tax will help New York continue to support statewide priorities from education to health care," states a brief from the Fiscal Policy Institute on expanding the tax. "The tax will help offset the regressive nature of New York's overall state and local tax burden, particularly when paired with enhanced low-income tax credits and additional high-end tax brackets."

ASSEMBLY-BACKED PLAN

The tax, which went into effect during the Great Recession, is set to expire at the end of this year. Currently it levies an 8.82 percent tax rate on household incomes above \$2 million and individual filers with incomes above \$1 million. Democrats in the assembly put forward a plan that would expand the tax and create four new tax brackets for high-income earners, with a 10.32 percent tax for highest earners, households earning more than \$100 million. This new tax structure is estimated to bring in more than \$5.6 billion in additional revenue and would affect about 45,000 taxpayers in the state, while proposed middle-class tax cuts would affect six million New Yorkers, according to the online legal news service Law360.

A similar plan, which included incremental tax increases to the top 1 percent of earners in the state, has been advanced by the Fiscal

Policy Institute and supported by dozens of millionaires in the state. The FPI plan, known as the "1% Plan for New York Tax Fairness," would start incremental increases for household incomes beginning at \$665,000, and it would have 12 income tax brackets in the state, five of which would be for the top 1 percent of earners. FPI estimates that their proposal would raise about \$6.2 billion, \$2.5 billion dollars more than Governor Cuomo's proposed extension of the millionaires' tax. In the run-up to finalizing the budget, wealthy New Yorkers urged state lawmakers to support the FPI proposal. More than 80 top 1-percent earners in the state, including Eileen

A multibillion dollar revenue generator

Fisher, Abigail Disney and Steven C. Rockefeller, signed on to a letter supporting the FPI plan.

"We are upper-income New Yorkers who treasure the quality of life in our state," read the letter. "As business leaders and investors, we know that the long-term stability and growth of a company requires investments in both its human capital and physical infrastructure. The same is true for our state."

Since the enactment of the millionaires' tax in 2009, the number of millionaires in the state increased by one third. Contrary to some conservative lawmakers' concerns that progressive taxation would drive away the wealthiest tax payers, the FPI report cites sources stating only a few wealthy

residents moved after the enactment of the tax. Recent research, the report stated, shows the rich are tied to the economic and social networks where they live and generally do not move when higher rates are enacted. Also, the report states, income inequality in New York is greater than in any other state. In 1980, 12 percent of income going to the state came from the top 1 percent; in 2015 that number was almost triple, with nearly a third of income earned by the top 1 percent.

"From 1949 to 1979, incomes rose across the board, with the middle class expanding dramatically in number and experiencing fairly steady income gains," the report states. "For the past 35 years, however, most income gains have flowed to the very top."



A coalition of labor, community and public policy groups have pushed for the extension of the millionaires' tax, which generates billions of dollars for the state.

Amanda Magalhães

Adjuncts fighting for contract enforcement

By SHOMIAL AHMAD

Incorrect paychecks, no checks and improper implementation of the eligibility requirements for three-year adjunct appointments are just some of the problems many adjuncts have encountered since the implementation of the new contract. An investigation by the PSC's contract enforcement department has uncovered several university-wide grievances, revealing that these aren't isolated incidents.

"We're filing more grievances now for improper implementation of the Memorandum of Agreement than we have in the past," said Debra Bergen, who has been directing the contract enforcement department at the PSC for more than two decades. Bergen notes that while certain provisions of the 2010 Memorandum of Agreement are complex, there is no excuse for the number of mistakes and failures by colleges that her department has had to address. "The PSC has to learn the new provisions and understand how they're implemented in the same amount of time that the colleges do.... [CUNY has] had ample time."

SHORT PAYCHECKS

Starting in October, adjuncts began calling the union about ratification bonus checks that were falling well short of what they were owed. At the beginning of this year, many adjuncts were concerned they were getting paid at the incorrect rate once back pay was awarded. And the problems didn't stop there. Adjuncts who had been teaching jumbo courses (large classes for which certain colleges and departments provide additional compensation and workload credit for) and adjuncts who had taught in programs and who receive appointments to an academic department were not properly being considered for three-year adjunct appointments. Adjuncts who taught in special programs but who had consistent service in a single academic department were also being improperly excluded for the longer appointments. The PSC contract enforcement department saw these violations occurring at several campuses and filed class-action grievances at the university level. These were being adjudicated as *Clarion* went to press.

For Stan Wine, a PSC adjunct grievance counselor, the contract problems mean constant phone calls at the union office. A typical day for him involves fielding unending phone calls on various issues that last anywhere between a few minutes to nearly an hour. "Without a doubt, since the acceptance of the new contract, this is the busiest that we've been," Wine told *Clarion*.

Pay and multiyear appointments at stake



Stan Wine (l) and Carly Smith (r), both adjuncts who teach at Baruch College, have been ensuring that the new contract is properly implemented for adjuncts.

One of the most common problems that emerged concerns adjuncts who taught nine or more contact hours across different campuses but were not receiving their full \$1,000 signing bonus. The CUNY administration – despite giving assurances that it would – does not have a centralized system for noting how many classes adjuncts teach across different CUNY campuses. For example, if an adjunct taught two three-credit courses at Queens College and one three-credit class at Queensborough Community College, the adjunct might not receive the full bonus due to lack of coordination between campuses. Many adjuncts failed to receive correct back pay because campus payroll officers were manually entering adjustments that sometimes led to the wrong rates. Because of a manual mix-up, Wine noticed that his own check was short. Instead of a 8.7 percent raise, he got a 1.7 percent raise.

Wine, who teaches computer science, is inclined to double-check things, especially his paycheck when new rates roll out. "This is something that every member should do," he said.

THREE-YEAR APPOINTMENTS

Another issue involves adjuncts who meet service requirements for a three-year appointment, but who were being told that they were not eligible. "It's the most expanded part of the contract," Ruben Rangel, a long-serving PSC adjunct grievance counselor, told *Clarion*.

"It has the potential to change the way the university relates to long-serving adjuncts."

Because of the expanded provision, it's natural for adjuncts to have a lot of questions about the pilot program and how it works. But in addition to the expected questions, Rangel and others in the contract enforcement department began to note that certain adjuncts were being told that they were ineligible for a three-year appointment, when, in fact, they were eligible.

In one university-wide grievance, the union asserts that colleges are denying proper credit for teaching jumbo classes, which typically are credited for six to eight contact hours. Because of the size of a jumbo course, instructors are typically paid twice the rate of a regular course. Affected adjuncts are receiving pension credits, a paid professional hour, and qualifying for medical insurance on the basis of their jumbo courses but are not receiving credit toward the three-year appointment.

"The university is claiming that because the contract says to qualify for a multiyear contract you must have six contact hours, teaching a single jumbo is not, in their view, qualification for a multiyear contract because they're asserting that you don't have six contact hours before students," Wine said.

In another grievance, the union shows that adjuncts who teach in programs and who hold appointments in academic departments but who teach in programs rather than

in the department itself are also being denied eligibility for consideration for a three-year appointment. The colleges have refused to count courses that are taught in programs toward their service eligibility, even when they received letters of appointment from a department.

CAMPUS ORGANIZING

At the campus level, adjunct liaisons have been organizing around the new contract. Youngmin Seo, an adjunct lecturer in the social science department, became LaGuardia Community College's adjunct liaison at the beginning of the academic year. He's held more than 15 adjunct meetings on his campus since the start of the school year.

At a three-year appointment training workshop that he organized recently, more than 40 adjuncts attended. The organizing results have had real benefits in members' lives already: two adjuncts who were short classes for the upcoming semester because of last-minute changes were able to pick up classes by networking with their colleagues.

Seo is glad that he's stepped up his union involvement – as the new contract went into effect. "It has a snowball effect," Seo told *Clarion*. "Once I get involved, I get more involved."

Carly Smith, who became an adjunct liaison at Baruch College at the beginning of this academic year, said she's been on an intense learning curve since she began her new role. "You're trying to locate some of CUNY's least visible and most itiner-

PSC supports the Working Theater

By SHOMIAL AHMAD

Using both comedy and magical realism, *Bamboo in Bushwick*, the latest production from Working Theater, explores gentrification in Brooklyn. The play is based on workshops with members of Ridgewood Bushwick Senior Citizens Council, Bushwick Salvation Army Community Center, El Puente Bushwick, Make the Road New York and conversations with neighborhood residents. As part of the playwriting process, the Working Theater hosted story circles, where long-term residents shared stories, hopes and dreams about the neighborhood that they call home.

Working Theater, which was founded in 1985, works on producing plays for and about working people. "We believe that theater should not be a privilege or a luxury, but a staple," states the theater in a press release for the production. "Toward that goal, we offer stories that reflect a diverse population of the working majority, acknowledging their complexity and often-denied power in an increasingly complex world."

The play is part of the group's Five Boroughs/One City initiative, where five pairs of writers and directors are involved in creating a new production in each of the five boroughs.

PSC will host a theater party featuring a performance of the play at 2 p.m. on Sunday, April 23, at Urban Stages in Manhattan, 259 W. 30th Street, between Eighth and Ninth avenues.

For more information about attending the PSC theater party, contact Steve Leberstein at sleberstein@gmail.com or Marcia Newfield at revolu@earthlink.net.

ant workers, and that's a challenging thing to do," said Smith, who has welcomed the opportunity to connect with her coworkers in ways that can improve their working conditions. "It's a good time to get involved. The work seems more urgent than ever."

It was through one-on-one conversations that adjunct activists at Baruch found out that adjuncts teaching jumbo courses at the college's Zicklin School of Business were being denied eligibility for three-year appointments. The chapter quickly filed a grievance on the issue, which is now part of a CUNY-wide grievance.

Smith said union members at her campus are getting more organized, and there's movement to establish an adjunct committee on her campus and other CUNY campuses. "We have our contract. The next contract is on the horizon," Smith said. "It's a really hopeful time in terms of organizing part-timers."

If you've encountered problems around the implementation of the contract, please call the PSC office at (212) 354-1252 and ask to speak to a grievance counselor for your job title.

Face-to-face organizing for the future

By ARI PAUL

PSC activists from around CUNY gathered at the PSC Union Hall for an all-day strategy session in March to discuss the issue of a new reality where public-sector unions may not be able to collect agency shop fees.

At issue is an impending Supreme Court ruling that could come as early as next year, undoing a four-decade precedent that allows public-sector unions to collect agency shop fees from workers in a bargaining unit who don't join the union, since they still benefit from the union representation and collective bargaining.

ONE-ON-ONE CONVERSATIONS

PSC members discussed how over the course of the next several months, chapter chairs, delegates and rank-and-file activists will go around their campuses to have one-on-one conversations with members, talking about the benefits of not just being a union member but of being an active and involved union member, and how union services like collective bargaining, grievance handling and organizing help make their jobs better.

Union activists will be asking their fellow members to sign recommitment cards as a way of building cohesion as the likelihood of a loss of agency shop fees in the public sector appears to grow.

During the training sessions in March, activists broke out into

The 'adhesion' campaign

groups and practiced one-on-one conversations with members who might not be familiar with all of the benefits they receive from being in a union or are unaware of the judicial campaign anti-union organizations have waged to undercut the organizational and political power of labor unions. Many activists said it was paramount to impress upon members that the loss of agency shop fees would impede the ability of unions like the PSC to provide essential union services.

Union plans for a possible major shift

Last year, public-sector unions were bracing themselves for a crushing blow from the Supreme Court in the case of *Friedrichs v. California Teachers Association*. Most expected a 5-4 decision overturning a 1977 precedent set by *Abood v. Detroit Board of Education*, making it impossible for unions to require agency shop fees from non-members. When conservative justice Antonin Scalia suddenly died before a decision could

be handed down, the court deadlocked on the case at 4-4, upholding the lower court's ruling, which was in favor of the *Abood* precedent.

SUPREME COURT CONFIRMATION

It was a brief reprieve. With President Donald Trump's conservative court appointee Neil Gorsuch currently under review by the Senate, it is widely considered that, if confirmed, he will vote with the conservative bloc against labor when another right-to-work case comes to the high court. Observers have noted that in his time as a circuit court judge, Gorsuch has reliably been friendly toward

employers in cases involving labor disputes; he famously dissented in a case finding that a trucking company wrongfully fired a driver who abandoned his broken-down truck for fear of freezing in the cabin in extreme winter weather.

And another case on agency shop fees is on the way. On March 21, the Seventh Circuit Court of Appeals dismissed the case *Janus v. AFSCME*, although the crux of the decision was procedural and not necessarily an ideological defense of the current agency shop fee system. But this sets up the very distinct possibility that *Janus*, which argues that agency shop workers should be able to opt out of paying fees to the union, could be coming to the Supreme Court, ending up in a decision that reworks public-sector labor relations nationwide.

JUDICIAL STRATEGY

"The National Right to Work Legal Defense Foundation has attempted to rush *Janus* through the courts, just like *Friedrichs* was rushed, by admitting at every stage that it should be dismissed. They are now prepared to appeal the matter to the Supreme Court," labor lawyer Moshe Marvit told *Clarion*. "If [the Supreme Court] takes the case, there's a new round of briefing, and then it's set for argument. So, it's not inconceivable that the matter could be heard next term."



PSC chapter chairs, delegates and other activists gathered for an all-day organizing strategy retreat in March to discuss ways in which the union can do face-to-face organizing with members across the city, in hopes to bring members together in the face of a possible "free rider" system in the future.

Campaign for a fully funded CUNY

Continued from page 3

In the ad, Uruci highlights how there is a important discussion going on in the state about making CUNY more affordable, but that can only be achieved with addressing the severe austerity the state has placed on CUNY's workforce and students.

Full-time enrollment at senior colleges increased by 10 percent from 2008 to 2015, but in that same time period, per-student funding from the state fell 17 percent, when adjusted for inflation. Full-time enrollment increased 23 percent at community colleges over the same period, with a 5 percent drop in per-student state funding, when adjusted for inflation.

NECESSARY INVESTMENT

"But a lot of my friends can't take the courses they need to graduate on time, because there aren't enough faculty. And most of the professors are part-time, rushing from job to job," Uruci said. "Albany is talking about college affordability. Affordability is important, but it won't be meaningful without investment in the classroom."

There are some signs things might be moving in the right direction as the deadline for a budget approaches. At the end of March, the two legislative houses offered their "one-house

bills," which are their respective bargaining positions in the budget process, and for the PSC and other CUNY advocates there is some good news coming out of that process.

"We commend the New York State Senate and Assembly for the funding restorations included in both one-house budgets, particularly on mandatory cost increases," PSC President Barbara Bowen said in a statement. "Both the Senate and the Assembly responded to the voices of PSC members and included in their one-house budgets maintenance of effort language to fully cover

CUNY's mandatory cost increases, including collective bargaining increases. It is essential that the enacted budget fully fund the cost of the university's basic contractual commitments to its employees."

PRESSING LAWMAKERS

Bowen continued, "Now we call on the legislature and the executive to increase CUNY operating aid in the enacted budget so that students seeking a better life with a CUNY degree will have the resources they need."

Bowen commended both houses for calling for the expansion of the

Tuition Assistance Program (TAP) for part-time students, but she raised other concerns. "Greater investment is needed," she said. "The university struggles to provide the resources needed for high-quality college education even for current students. Increasing access to CUNY without significantly increasing investment would mean that resources are even further strained."

Bowen continued, "Even without additional students, CUNY operates with a shortage of 4,000 full-time faculty and relies on the underpaid labor of more than 12,000 adjunct faculty, who teach more than half of its courses. Any free tuition or affordability initiative in the enacted state budget must include funds to allow the university to begin to fill the gap in full-time faculty positions, provide additional support for adjuncts, and strengthen the student support services that keep students on pace to graduate."

The University Student Senate (USS), which supports increased funding for more full-time faculty and pay raises for part-time instructors, has also denounced the proposed \$250 tuition increase. While acknowledging that Governor Cuomo's proposed Excelsior Scholarship would provide tuition-free education for many middle-income full-time students at CUNY and

SUNY, advocates have said his plan would not increase TAP funding for low-income students or address the hundreds of dollars low-income students must spend on books, transportation and other related fees.

"He wants tuition to bear that cost and we're saying 'no,'" City Council Higher Education Chair Inez Barron said at a USS-hosted City Hall rally for increased CUNY funding on March 22. "It is the responsibility of the state to provide education."

As *Clarion* went to press, the USS announced a March 29 march over the Brooklyn Bridge to call attention to the state's systematic underfunding of CUNY.

ELECTORAL PRESSURE

Hercules Reid, the USS vice chair for legislative affairs, said at a City Hall rally that CUNY advocates needed to continue putting pressure on lawmakers in both parties and in both chambers to increase funding for CUNY and to ensure its affordability for students.

With an eye toward 2018 primaries and general elections, Reid invoked CUNY's student body of 500,000 potential voters and offered a warning to lawmakers who failed to make fully funding public higher education a priority this year: "Watch out."



CUNY students and PSC members met with state lawmakers to press the importance of state investment in public higher education.

Reducing course loads for more one-on-one instruction university-wide

By CLARION STAFF

More than two dozen PSC members and CUNY students packed a City Council hearing room on March 3, to testify about the importance of restructuring the faculty workload so that instructors can have more one-on-one time with students. Many other members who could not physically be present at the hearing submitted testimony to the council for the official record.

This campaign comes as the union is also fighting for higher pay for adjuncts and more funding for CUNY from Albany.

In remarks to the council's higher education committee, union members and students addressed the CUNY Board of Trustee's budget request that the city include a \$35 million increase to CUNY to bring the full-time faculty teaching load in line with that of peer institutions. In a statement, the union explained that "CUNY's Fiscal Year 2018 budget request for \$35 million the Faculty Partnership for Student Success Initiative...would allow a restructuring of the full-time faculty workload to enable more time with individual students and more time for research, leading to greater student success and a richer educational experience."

NEW FUNDING

In her testimony to the panel, PSC President Barbara Bowen said, "We're asking the state to allow our faculty to have the time they need with their students."

The hearing was a part of the

Making the case to the city

on-going process for the City Council to reach a final city budget this summer. PSC members consistently focused on how the funding should allow instructors to be more fully engaged with their students. In the excerpted testimonies below, CUNY faculty and students spoke vividly about the work they do in and outside of the classroom, and what challenges their students face and overcome every day.

Bowen was quick to point out that this request was not meant to absolve the state of its historic underfunding of CUNY. "The city should not be absorbing the burden of the state," Bowen said.

PROFESSORS AS COUNSELORS

Written feedback on student essays often is not enough. My students need to meet face-to-face with me to review drafts, clarify ideas and understand what they need to do to improve their writing if they are to successfully complete the course....

Writing is an intensely personal act and students often reveal intimate details of their lives to their writing instructors. It is through student essays that I have learned that one student has relapsed after a 10-year struggle with sobriety and had been kicked out of his home or that another student is experiencing paralyzing anxiety over her parents' undocumented immigration status. These are

the needs that must be attended to swiftly, thoughtfully and individually. Investigating appropriate campus-based referrals and following up to make sure students have access to the help they need is a time-consuming task, but one that faculty must take on if we want our students to succeed, both personally and academically.

Emily Schnee,
Associate Professor of English
Kingsborough
Community College

STUDENTS ARE SCHOLARS

With 90 students, I'd have to give primarily written feedback, hand scrawled in a rush on their paper and handed back to them at the end of class. With 60 students, I'd be able to give them substantial verbal feedback, in actual one-to-one, give-and-take conversations. Instead of waiting days or even a week to get answers to their questions, they'd be able to hear answers within seconds. And of course, that individualized conversation leads them to deeper questions. That individual attention also makes me better able to cajole students who need counseling into walking to the counseling center, or better able to intervene on the behalf of students who are having trouble navigating the bureaucracy.

I try to do this with my students, but often don't have time to know

them well enough to identify such problems until it's too late.

A three-hour reduction would also enable me to spend more time and more consistent, sustained, consecutive hours on scholarship. I'd be more excited about my field and more up-to-date, and better able to articulate that excitement to my students, treating them as potential scholars themselves rather than simply as customers.

Sigmund Shen,
PSC Chapter Chair
LaGuardia Community College

TEACHERS FIGHT AUSTERITY

Numerous research studies prove that faculty with active research agendas are the best teachers. Individual professors' passion for inquiry rubs off on students by serving as a model of lifelong learning, embodying the imperatives of curiosity as a force of motivation and the joys of daring to think for oneself.

As a result, CUNY's current workload is not only unjust when put in relation to other institutions – Rutgers, SUNY – against which we measure ourselves; it's also an immensely short-sighted and inefficient business model. My college has become a revolving door for faculty who try to leave before their pre-tenure course releases run out. Already overextended faculty acknowledge that there will never be another chance for a reduced workload, and given the withdrawal of public funding for research, they go elsewhere.

'INVISIBLE WORKLOAD'

I also want to draw attention to the invisible workload for faculty that affects student learning in ways we often do not consider. With so many students each semester, we live with their often unimaginable problems because our eviscerated welfare state, loss of a sense of common good and shift of social policies from funding schools to punitive mechanisms like prisons. Consequently, our students have been raised on Reagan/Thatcher's free market outsourcing of public responsibility, and internalized the mandate of personal responsibility with all the sense of inadequacy and self-hatred that it fosters.... They often have no one to talk to about their difficulties but faculty.

For example, in the last four months, I have had one student explain to me that she's been missing class because she is homeless, another woman confided that she struggles to study because of domestic violence problems in her



Sigmund Shen spoke about how students' learning is affected if faculty workload was reduced.

household, still another student was existentially terrorized because of his immigration status in light of the intensified war on immigrants since Trump took office. An honors student who is confronting debilitating depression came to me to discuss quitting school. Faculty are really the face of the college for students and our work goes well beyond the teaching and learning in the classrooms.

Paul Narkunas,
Associate Professor of English
John Jay College

MOVING TO SENIOR CAMPUSES

I regularly teach honors courses at LaGuardia and each year I have a handful of students with whom I meet to talk about transfers, discuss their [senior college] choices and work through their statements of purpose. I also write letters of recommendation for those students and am absolutely thrilled when they get into the schools of their choice. This work is rewarding, but it is time consuming, and it's something that a lighter load would allow me to do without cutting into my other commitments.

Karen Miller, Professor of History
LaGuardia Community College

HELPING STUDENTS ACHIEVE

One of my students was an underpaid, exploited musician who left the industry for college simply to get away from unpaid work. CUNY gave him an education that enriched his intellectual life and put him on a path to professional self-expression and



Joyce Moorman talked about the growing demands community college faculty face, with expectations of more research and productivity.

One- de



Ellen Moynihan

...ning would be enhanced with more individual

development. I mentored him closely to develop his aptitude in film studies.

Our students simply don't know how good they are until faculty members tell them. He is now pursuing a PhD at NYU because of the time and attention I could give him.... If working-class colleges have become vastly larger engines of social mobility, it is because of the sacrifices CUNY faculty like myself make, as we commit to doing so much with so little. Funding for higher education has plummeted, and this needs to change.

Anupama Kapse,
Associate Professor
of Media Studies
Queens College

THE NUMBERS DON'T ADD UP

A recent survey by the American Association of Colleges and Universities of 433 chief academic officers showed that a large majority of institutions have a common set of intended learning outcomes: in writing, critical thinking, qualitative reasoning and oral communication. Because many of our students have significant problems in these areas, they need individual attention and extensive feedback. It is humanly impossible to provide this attention and feedback during a semester with four classes of 25 or more students each. Teaching four classes doesn't allow for adequate instruction. Teaching three classes may barely do so, at a high cost to the faculty's family and social life, but, and this is crucial, it doesn't leave time for research.

Elisabeth Gareis,
Professor of
Communication Studies
Baruch College

BALANCING ACT

When I teach English 101, for instance, I require my students to meet with me individually for 20 minutes three times each semester to discuss their writing and assess their progress in the course. That often adds up to 90 additional hours of instruction per semester. I do this because I know it works and because I know from experience that this kind of individual attention, especially in gateway courses like English 101, increases not only the quality of the work my students produce, but their overall engagement with the course and consequently dramatically increases the number of students who pass my classes.

Unfortunately, this additional work has made it incredibly difficult for me to pursue the scholarship and the committee work necessary for my tenure, and thus, as my tenure review approaches, it is unlikely that I will be able to continue to offer these conferences to all of my students without some kind of reduction in the number of courses I teach each semester. A three-credit course load reduction would guarantee that I would be able to continue these conferences to my students and still be able to pursue the other requirements for tenure.

James Hoff,
Assistant Professor of English
Borough of Manhattan
Community College

STUDENTS NEED ATTENTION

[M]y courses routinely fill to 40 students each, which is as much as most Baruch classrooms will hold. Since we have no teaching assistants at Baruch, I do all my own grading. This grading isn't easy. I don't believe in using multiple choice exams, which only teach students to memorize and regurgitate answers without context or argument. My bluebook exams and papers require students to make clear arguments, show change over time, marshal evidence to back up their points, and demonstrate a deep knowledge of a particular period. They also require students to learn to read critically and write well.

These are skills our students desperately need to develop both for their careers and to be good citizens. Most do not have the chance to develop these skills in their high schools, which are often overcrowded and underfunded. Furthermore, English is frequently not our students' first language. That means our students require intensive investments of time from professors to help them build the skills I've described. And they deserve that investment of time. They deserve a real, thorough and competitive college education.

Charlotte Brooks,
Professor of History
Baruch College



Ellen Moynihan

Many PSC members who could not attend the hearing in person submitted written testimony about the workload plan to the City Council.

MORE TIME NEEDED

For several semesters I have had the intention to develop a new course on Latin American visual studies. It would be so rewarding being able to develop and teach a course focused on my area of expertise, especially now that we have a major. Unfortunately, I have not been able to do so, because developing a new course requires extra time. Having more time would also allow me to apply for collaborative research grants to work more closely with students during the summer – at present, I devote most of the summer to working on my own research. A restructured workload committed to teaching, service and research would certainly be beneficial in this regard.

Ángeles Donoso Macaya,
Associate Professor of
Modern Languages
Borough of Manhattan
Community College

EXPECTATIONS AND DEMANDS

Community college presidents are insisting on more scholarly activity and productivity today than ever before. On October 15, 2016, I was commissioned to write two art songs for Dr. Louise Toppin, chair of the music department at the University of North Carolina at Chapel Hill. The song was to be performed February 9, 2017, at a music conference at the University of California at Irvine. When I accepted the challenge of the commission, Dr. Toppin asked me how many classes I teach a semester. When I told her five, she was shocked. At the University of

North Carolina, the course load is only two. CUNY community college professors are now being required to produce scholarship equivalent to that of senior college professors. Across CUNY we need a course load reduction to meet increased research departments and to spend more time with our students.

Joyce Solomon Moorman,
Associate Professor of
Music and Art
Borough of Manhattan
Community College

POTENTIAL IS WASTED

The faculty [members] at CUNY have an enormous potential. A lot of this potential is wasted, especially for the faculty at community colleges, where the teaching load is at least three more hours (and actually six more hours in most cases) than four-year colleges. CUNY has the luxury of boasting that most of the faculty at its community colleges have a PhD. This is unheard of for most community colleges in the country.

These professors can write grant proposals for research in education or in their particular field. However, after the first few years, the overwhelming teaching load takes a toll and the research activity gets diminished. And without research activity there cannot be grant proposals. This is a great loss for CUNY both academically and economically; it is important to note that a good part of the revenue of research universities comes from grants. CUNY could do much better in this aspect if professors, especially at our community colleges,

had more time for their students and especially their research.

Luis Fernandez,
Professor of Mathematics
Bronx Community College

A STUDENT'S VIEW

I began college in the fall of 2016. I was scared because English is not my native language, and also because my high school did not prepare me well enough for college. Either way, going to college was something I needed to ensure a better future for my mother and me.

I chose this college because of its diverse student body; people from all over the world start here and go anywhere, as the Borough of Manhattan Community College's motto states. During the five semesters I have been studying at this institution I have had the best teachers I could have imagined. I always felt nervous and anxious whenever I had to do public speeches, until I met my Speech 102 professor Lee Ritchey. This was truly a blessing in my life. Every afternoon he'd stay with me after class practicing every speech I had to do in his class. I went to every office hour he had, he never complained about me asking for too much help. Not once did he complain about being tired, although it was obvious he was. He was always there for me as a caring professor. He is one of the reasons I am standing here and giving this speech in front of so many people and feeling confident.

Carla Rivadeneira,
student majoring in
Modern Languages
Borough of Manhattan
Community College

PSC comes out for women's strike

By ARI PAUL

Linda Martín Alcoff, a philosophy professor at Hunter College and the Graduate Center, had a clear idea of what kind of feminism should grow from the anti-Trump resistance: “We need feminism that will focus less on ceilings than on raising the floor, that will address the realities of poor and working-class women’s lives.”

Alcoff spoke from the steps of the Graduate Center surrounded by fellow PSC members, students and other labor activists on March 8, as women all across the country went on a one-day strike for a “Day Without Women.” Those who could not strike used the day to protest the regime of President Donald Trump on International Women’s Day. In addition to the speak-out at the Graduate Center, PSC members gathered with thousands of other demonstrators in Washington Square Park later that day and marched downtown to Zuccotti Park, the original site of the Occupy Wall Street encampment.

WOMEN’S LABOR

“We have a very broad coalition of feminism today, as we saw on January 21, we even have some conservative women in our coalition,” Alcoff said through a bullhorn, referencing the women’s marches in Washington, D.C., and New York City against Trump’s inauguration.

A national action against Trump’s agenda



PSC member Tatiana Cozzarelli talks about the power of solidarity at a rally outside the Graduate Center, held on a day when activists called for a day-long women's strike.

“A coalition is not a merger. Unity does not require uniformity.”

The purpose of a day without women was to show how vital women’s labor and participation is in the face of not just the legislative backlash against women’s rights but the intensely misogynistic tone the president’s campaign set last year.

PSC Treasurer Sharon Persinger spoke at the Washington Square demonstration with other labor and women’s rights leaders. “I can tell you that organized labor is under attack in the United States. I want you

to know that the attack on organized labor, on unions, is an attack on women,” she said. “There is a sign over there on my left about the gender pay gap. You all know that in the US workforce as a whole, women’s wages are 80 percent of men’s wages. But in the unionized workforce, women’s wages are 89 percent of men’s wages. We still have a way to go, but unions have made gains in closing the gender pay gap.”

She continued, “Unionized women have higher pay, are more likely

to have paid leave, are more likely to have employer-provided health insurance, and are much more likely to have a pension. Let me say it again: unions benefit women, and attacks on unions are attacks on women. Next time you hear someone attacking unions, I want you to speak up because unions fight for women.”

During the Graduate Center speak-out, PSC member and graduate student in urban education Tatiana Cozzarelli recalled her time

An attack on labor is an attack on women.

Labor: no to austerity in Puerto Rico

By ARI PAUL

The PSC joined other labor and community groups on March 13 to protest the unelected Fiscal Control Board for Puerto Rico and to demand that any fiscal restructuring imposed on the island put children and education first.

The control board was set up by the Obama administration after the territory, which owes creditors close to \$70 billion, defaulted on some of its debt obligations in 2015. Critics of the board claim that it is designed to destroy the island’s vital public sector, especially its K-12 and higher education systems, for the benefit of hedge funds. As some CUNY community members have noted, the ordeal bears a resemblance to the structural readjustment CUNY and other city institutions faced after the 1975 fiscal crisis. University of Puerto Rico students went on strike for several days in February to protest against looming education cuts.

LINKING STRUGGLES

PSC Executive Council members Blanca Vázquez and Lizette Colón joined President Barbara Bowen at the rally, which was organized with support from the American Federation of Teachers. Colón, the PSC chapter chair at Hostos Community College, linked the struggle in Puerto Rico to the struggle at CUNY.

The island’s education system is at stake



Lizette Colón, PSC chapter chair at Hostos Community College, rallied against potential cuts to education in Puerto Rico. “Our fight is their fight,” she told protestors at the rally.

“As a union including hundreds of Puerto Rican faculty and staff, and working with thousands of Puerto Rican students in New York, we support our brothers and sisters because we know, as they do, what it takes to fight back against cuts and how to take on the powerful and win,” she said at the rally. “Puerto Rico has already seen unfair tuition hikes

for students and debilitating cuts of hundreds of millions of dollars from higher education. Now salaries are being threatened. Our fight is their fight, and we will stand united to resist the imposition of austerity on students, teachers and working people in Puerto Rico.”

In an email interview, Héctor Cordero-Guzmán, a professor of public

affairs at Baruch College, explained the dire position of the island’s public university system.

“The University of Puerto Rico (UPR) receives over \$800 million per year from the government of Puerto Rico for its 11 campuses to cover operations and to subsidize tuition to the over 40 percent of students that come from families below poverty,” he said. “The Federal Financial

living in Rio de Janeiro, when garbage workers went on strike during Carnival, and, as a result, won a 36 percent pay raise, health care benefits and childcare benefits. She said that women and unionists should be inspired by the power of collective action.

“We need to fight back. We’re going to really need to go on strike, not for one day, but for several days,” she said. “Without a strike, we have no teeth.”

FREE CUNY

Bringing the issue closer to home, PSC member and history graduate student Emmy Hammond said that pushing for a tuition-free CUNY would be a huge help for immigrant and working-class women. “Free CUNY is a women’s issue,” she said.

Joining the PSC contingent at the Graduate Center was Tracy Kwon, a nurse at Kings County Hospital and a member of the New York State Nurses Association. Kwon spoke passionately about how austerity in the public hospital system has put a tremendous emotional burden on nursing staff, a predominantly female workforce, who often only have two minutes to spend with each patient, many of whom are in critical condition.

“We end our shift feeling torn asunder,” she said. “Every day is life or death. Every shift is life-deciding.”

Control Board has asked the government to cut its contributions to the UPR by \$350 million to \$450 million dollars per year over the next three years. While the university must continue to take steps to operate transparently and effectively, such a massive public cut over such a short period of time is unprecedented in US higher education and will be destructive. The proposed cuts mean that student resources and services could be reduced, faculty salaries could be frozen or cut, new hiring would be frozen [and] research funds will be limited.”

ASSAULT ON PUBLIC HIGHER ED

Cordero-Guzmán continued, “A massive cut on the UPR is an assault on public higher education and on the people of Puerto Rico and will result in less access to education, reduced opportunity for the next generations, more out-migration from the island, and a compromised and more uncertain future for the people of Puerto Rico.”

With rally participants from the United Federation of Teachers and New York State United Teachers, the rally also focused on impending cuts to the territory’s K-12 education system.

The rally revealed many of the political differences within the Puerto Rican community, however, the issue of opposing austerity was a unifying factor.

Bowen said, “Everyone there opposed the structuring to benefit creditors over impoverished children and working people.”

Unions set to oppose a constitutional convention

By ARI PAUL

The New York State constitutional convention is sometimes affectionately referred to as a “Con-Con.” But public-sector unions know that it’s actually just a plain old con job.

This year when New Yorkers go to the polls in November they will decide whether the state should hold a constitutional convention. If a “yes” vote wins, elected delegates would be entitled to tweak provisions in the state’s governing document or remake the state’s constitution entirely if they so desire.

In the face of state government corruption and what’s often seen as chronic inefficiency in state policy making, some government reform groups are pushing for a “yes” vote in order to address issues such as creating an independent redistricting commission for the State Senate and Assembly and enacting new campaign finance measures. These are well-intentioned proposals, but a constitutional convention would also be a dangerous gambit, as it would open up protections for labor, education and social services to attacks from right wing groups.

Unions are gearing up to a push a “no” vote this year, arguing that much of the good-government policy reform can be accomplished without a constitutional convention.

WHAT IS IT?

The state constitution mandates that every 20 years a referendum be held on whether to hold a constitutional convention. That vote will happen on November 7, 2017. As a fact sheet from New York State United Teachers (NYSUT) outlines, “If it passes, three delegates per State Senate district and 15 at-large delegates – 204 in total – would be elected at the next general election, in November 2018. Delegates can include members of the Legislature or other elected officials, as well as political party leaders – and they can hold both positions, collecting both salaries. The convention would meet in Albany in 2019 for an unspecified duration, and then publish its suggested amendments. Any proposed changes are submitted to voters for approval separately or as a group for another public referendum no sooner than six weeks after the convention adjourns.”

WHY OPPOSE IT?

First, a bit of history: a coalition of labor groups, environmental organizations and good-government groups successfully pushed a “no” vote on the constitutional convention in 1997. So successfully advocating for a “no” vote is an absolutely doable task.

As many unions have noted, a constitutional convention would

A major state political issue for 2017



Unions fear unaccountable delegates would be free to remove vital protections for workers.

put everything on the table for discussion, including the constitutional mandates against the cutting of pensions, a guarantee to a public education, protection of the workers’ compensation system, the right for public-sector unions to bargain collectively and a requirement that the state provide social welfare services. Special interest groups that are dedicated to reducing the power of labor unions as well as those seeking the privatization of public services would almost surely be working toward gutting constitutional protections for unions at a constitutional convention.

“No one knows for sure who the delegates would end up being,” Fiscal Policy Institute Deputy Director James Parrott told *Clarion*. “There’s concern that a constitutional convention could unleash a lot of lobbying forces that could move it in a direction that is unanticipated and unforeseen. Put those two concerns against the current political backdrop, it’s not worth the risk.”

Given the national effort by the right to erode welfare and social

programs for the poor, redoing the constitution in New York would be political red meat for austerity advocates, as Parrott noted that “the state constitution has a responsibility to care for the needy and to provide health care, and the broader low-income constituent groups are concerned that those provisions could get eroded also.”

PSC First Vice President Michael Fabricant said, “While PSC’s primary reason to encourage members to vote ‘no’ is that a constitutional convention puts our members’ rights to a pension and to be represented by

a union at risk, union leaders are also concerned about the threat to New Yorkers’ rights to public education and social services.”

He warned that a constitutional convention would be influenced by “big money groups.”

There are already indications that anti-union and other right-wing forces want a constitutional convention. The *New York Daily News* reported that Assembly Republican Minority Leader Brian Kolb said he

supported a “yes” vote on grounds that it would undermine the power of “those enjoying the spoils of the status quo.”

HOW TO STOP IT

A “no” vote on this year’s referendum is one of the top state electoral priorities for public-sector unions. In addition to unions urging their members to come out and vote against a constitutional convention, unions and other coalition partners will have to make the case to the public that issues relating to public integrity and corruption can be addressed in other ways.

For example, the *Albany Times-Union* reported last year, “Opponents will likely argue that there are other ways, rather than a constitutional convention, to fix things. Voters can approve referendums to amend the constitution, such as what happened when they approved casino gambling two years ago. And lawmakers this year started the process for a referendum that would allow a constitutional amendment to strip felonious lawmakers of their pensions.”

CLT chapter holds mass meeting

By CLARION STAFF

The College Laboratory Technicians chapter will hold a general membership meeting Tuesday, May 9 at 6:30 p.m. on the 16th floor of the PSC.

Members are free to come to ask questions and make comments, but the key feature of the meeting will be new welfare benefits, with a presentation by PSC-CUNY Welfare Fund communications director Patrick Smith. Members will also discuss the upcoming contract campaign and what major issues should be resolved for CLTs.

ENHANCED BENEFITS

“Your health matters to us. Trustees put \$6 million into new benefits. Learn about new and enhanced benefits through the Welfare Fund for active CLT and retired employees of CUNY,” said CLT delegate Amy Jau. “Are you dissatisfied and discontent? What do CLTs want to see in a new contract? Now is the time to speak up and voice your demands. Bring your ideas and join us at the table.”

Members wishing to attend should RSVP with Jau at ajau@hunter.cuny.edu.

It continued, “And they can point to past Con-Cons which didn’t necessarily make things better. Con-Con delegates make their own rules. In the 1967 Con-Con, for instance, all of the proposed changes were consolidated into a single up or down vote. The big controversy was to repeal the prohibition on public funding of religious schools. The changes failed.”

Another important message unions can send to voters is how expensive and unnecessary such an endeavor would be. District Council 37 Political Director Jeremy John wrote in *Public Employee Press*, “A constitutional convention would cost taxpayers an estimated \$300 million. Unaccountable convention delegates would receive the pay of a state legislator of \$79,500 a year, have the right to hire their own staff and receive pension credit. The delegates are also responsible for how long the convention lasts.”

ELECTEDS’ POSITIONS

In fact, a study last year showed that the 1967 convention cost the state \$47 million, or \$336.5 million when adjusted for today’s dollars, according to the *Times-Union*.

Governor Andrew Cuomo has voiced mild skepticism about a “yes” vote and no position on the matter appears in his 2017 policy agenda earlier this year, but it isn’t assured he will oppose a convention either. State Senator Majority Leader Carl Heastie reportedly supports the unions’ concerns and is pushing for a “no” vote.

Historic settlement on NYPD spying

By SHOMIAL AHMAD

It was news that affected all New Yorkers' rights, but it particularly hit home for the CUNY community.

On March 6, the same day that President Donald Trump signed the revised travel ban restricting travelers from six majority Muslim countries, the ACLU and other legal organizations announced a proposed settlement agreement with the New York Police Department that would provide greater oversight to the department's surveillance operations.

For advocates and allies of the American Muslim community, especially at CUNY, the news of the proposed settlement to safeguard Muslim New Yorkers – and all New Yorkers – from discriminatory and unjustified surveillance was good news in an otherwise bleak news cycle of increasingly belligerent rhetoric and hate crimes against Muslims, South Asians and undocumented immigrants.

CUNY PLAINTIFFS

Raza v. City of New York, one of the cases that initiated the settlement, involved six plaintiffs, including a graduate of Brooklyn College and a former CUNY student, both of whom were students at the university when they were spied upon. Along with the American Civil Liberties Union and other legal groups, Creating Law Enforcement Accountability and Responsibility (CLEAR), a project of the CUNY School of Law, was one of the co-counsels on the case.

CUNY law prof played role



Courtesy of Ramzi Kassem

Ramzi Kassem, director of the CUNY School of Law CLEAR project, calls the settlement that requires a civilian watchdog to oversee NYPD surveillance "a step in the right direction."

"It's unprecedented," said Ramzi Kassem, a professor at CUNY School of Law and director of its CLEAR project. "It's the first time since 9/11 that curbs have been imposed on the ability of any investigative agency to spy on Muslims."

The proposed settlement was approved a week later by Judge Charles Haight, the federal judge who had recommended additional enhancements to a previous settlement in January 2016. The settlement bars investigations in which race, religion, ethnicity or national origin is a substantial or motivating factor. Before the NYPD can launch

an investigation, it has to provide proof of possible unlawful activity, and ongoing investigations are subject to reviews every six months.

The settlement also appoints a civilian representative – a lawyer appointed by the New York City mayor – who will review how investigations are initiated, conducted and extended. The civilian representative is required to report any time there are systemic violations, and is required to submit annual reports to the court.

"It's a step in the right direction," Kassem told *Clarion*. "[It provides] proof of the possibility of resistance and the need to mount movements that will include litigation – but won't be limited to litigation – in order to push back against these kinds of abuses and excesses by the government."

The case was filed in 2013, after the Associated Press (AP) broke news about expansive surveillance of the Muslim community, in which the NYPD sent paid infiltrators into mosques, student associations and to community events. An attorney with the NYPD told the *Daily News*

that the department-backed agreement doesn't mean that the NYPD admitted to doing anything wrong in its surveillance activities.

"The NYPD's warrantless surveillance of our clients profoundly harmed their religious goals, missions and practices," said a statement from the ACLU. "It forced religious leaders to censor what they said to their congregants, limit their religious counseling and record their sermons, for fear that their statements could be taken out of context by police officers or informants."

Kassem said the AP reports on surveillance served as "confirmation" of what members in the Muslim community had long suspected. CUNY students, more than students at any other university, Kassem said, were subjected to NYPD surveillance.

Muslim students from City College were spied on when they were whitewater rafting in upstate New York; the NYPD was worried about "militant paintball trips" organized by Muslim students at Brooklyn College; and one NYPD informant who

'I felt like I lived in a house without walls.'

attended John Jay Muslim Student Association events – who later revealed that he was a paid informant – said he was under orders to "bait" Muslims to make inflammatory statements.

Mohammad Elshinawy, a Brooklyn College graduate, a Muslim scholar and a plaintiff in the *Raza* lawsuit, found out through the AP investigation that he was spied on. Elshinawy, who regularly lectured at several area mosques, was labeled a threat by NYPD partly because "he [was] so highly regarded by so many young and impressionable individuals," according to the AP. No place was out of bounds to surveillance. He was spied on when he shopped for rings with his future wife and their wedding was infiltrated by an informant who videotaped everyone who attended.

"After the AP revelations, I wasn't just uneasy. I was terrified," Elshinawy wrote in an op-ed for the *Washington Post*. "I felt like I lived in a house without walls, vulnerable

to police scrutiny all the time." Elshinawy began to self-censor and would hold back on talking about anything that could be taken as controversial.

Another CUNY student and plaintiff on the *Raza* lawsuit, Asad Dandia, found out through Facebook that he was being watched. In October 2012, Shamiur Rahman, a 19-year-old of Bangladeshi descent, revealed to people whom he had befriended that he was a paid informant for the NYPD.

In March 2012, Rahman approached Dandia, telling Dandia he wanted to become a better Muslim. Rahman got involved with a charity group now known as Muslims Giving Back, a group that Dandia was active with, and he quickly became a part of Dandia's circle of friends, taking photos together and asking for people's phone numbers, often right after meeting them. Rahman, the police informant, visited Dandia's home, ate with his parents and even once spent the night.

STIFLING FREE SPEECH

Without question, police surveillance has had a chilling effect on these groups' abilities to peacefully assemble based on their religion. Soon after the surveillance was revealed, the charity group Muslims Giving Back lost its primary meeting space. Members of the group stopped posting social media photos of themselves doing charity work, something that publicized their efforts and encouraged others to get involved. The greatest effect, Dandia said, was felt in the larger Muslim community. Mosques became wary of newcomers. Now, because of growing Islamophobia in New York and the nation, Dandia said there's a "bigger fight" that has just begun.

"My personal resistance started in 2013, but in many ways, it feels like it's just beginning," wrote Dandia in a ACLU blog post that was published the same week the settlement was announced. "We know as well as anyone that resisting discrimination does more than just achieve a narrow goal – it also brings communities together and demonstrates what's possible."

CUNY probe widens

By SHOMIAL AHMAD

A state probe into financial irregularities in the CUNY system has expanded to look at hiring and spending practices at the system's two-year community colleges, according to the *New York Post*. Already, the former president of City College, Lisa S. Coico, resigned earlier this academic year amidst a federal investigation into her finances, and a former assistant athletic director and basketball coach at Baruch College, Machli Joseph, was federally charged with stealing more than a half-million dollars of fees he collected for renting out the college's gym.

State investigators, according to the *Post* article, asked for documents from Borough of Manhattan Community College, Bronx Community College and Kingsborough Community College in recent weeks. State investigators have been inundated with tips concerning misuse of funds and cronyism, including questions about the purchase of vehicles, consultant fees, rental fees and the use of grant money, the *Post* reported.

The ongoing federal probe at City College led CUNY Board of Trustees

Chairperson Bill Thompson to commission an investigation led by State Inspector General Catherine Leahy Scott to look into what he called "waste, fraud and abuse and any unethical or illegal activities."

Two top CUNY officials left their posts after the inspector general published an interim report in November. Jay Hershenson, the vice chancellor of university relations and the secretary to the board of trustees, stepped down from his post to assume a new role at Queens College. Frederick Schaffer, CUNY's general counsel, who was criticized in the report, announced his retirement after the investigation went public.

ONGOING INVESTIGATION

The interim report also found no effective oversight of foundation funds at CUNY, incomplete reporting to the state for a past embezzlement case, use of tens of thousands of dollars in discretionary funds by former Brooklyn College president Karen Gould to pay for a part-time housekeeper and a retirement party, and insufficient scrutiny when determining pay packages for outgoing CUNY executives. The state investigation is ongoing.

Grads get a win, but Columbia stalls

By ARI PAUL

A local panel of the National Labor Relations Board (NLRB) found in favor of the Graduate Workers of Columbia University (GWC-UAW) union in March, after the administration resisted the results of an NLRB election in which the union won rights for recognition and bargaining.

In December the administration resisted the 1602-to-623 unionization vote, even though an NLRB decision the previous summer stated that private-sector university graduate students were indeed workers, who

therefore have the right to unionize and bargain collectively. The administration claimed that there were problems in the voting process,

Union blasts admin 'delay' tactic.

although activists with GWC-UAW Local 2110 believed that this was a tactic to stall bargaining talks until the Trump administration had a chance to install new members to the NLRB who could overturn last summer's decision on graduate student worker organizing.

"While we find today's ruling to be a huge affirmation of our election, we also know that Columbia administrators and their lawyers have delayed

collective bargaining for more than two years. Now is the time for us to raise our voice and increase efforts to convince Columbia administrators to refrain from any further delays, respect our democratic vote and agree to start bargaining," the union said in a statement.

THE WAIT CONTINUES

The administration is appealing the decision and has delayed meeting with union officials, according to the union.

The union said, "[W]e are deeply disappointed that Columbia and its lawyers have once again used the legal process to delay bargaining."

Union hosts global voices

By CLARION STAFF

For two days in March, members packed the PSC union hall to hear from academics and unionists from the city and around the world about the struggle of academics, students and other workers in the face of growing neoliberalism, privatization and anti-union campaigns at universities. The conference was viewed online by several thousand people and shared widely. Below are some of the highlights from the panelists.

Free college now

In South Africa we have a terrible secondary education system and therefore people start their first year of university at completely different levels. So decolonizing the curriculum also has to consider the pedagogical techniques we use that alienate the majority of our students because they don't have the level of skills that we expect them to have.

English isn't their first language, it's not their second, for some it's just a foreign language that they have to use. In terms of language, how then do we make the classroom a space that is conducive to learning for these students? How do we enable then, particularly in South Africa, a poor black child who is completely alienated by every element of the institution a chance to actually get through the university system? How do we set her or him up not to fail?

NEW REALITIES

The university can be used to justify the status quo, or it's a space where we can think of new alternatives outside of the dominant ones. It's a space you aren't tied to by labor. Instead of waking up and going to work, you actually have a space to think. People need to be able to imagine different realities for what the world can look like and that's not going to happen in an 8-to-5 job.

When students have space and time to think collectively, their critique of the university and the state deepens and their demands deepen. When the protests started, students were just demanding that the fees don't go up as they do every year. But through occupation, through thinking and talking collectively and through deepening the critique, the call then became for free education. Then through further collective thinking it became for free, decolonized education.

Moshibudi Motimele, doctoral student at the University of Witwatersrand

This is not a factory

We are now well into the fourth decade of neoliberalism, a program launched by ruling classes around the world to roll back the gains made by labor and working people. Central to neoliberalism is a direct attack on the wages and incomes of the poor, and a shrinkage of any public insti-

No to neoliberal education



Trevor Ngwane, chair of the United Front in Johannesburg, spoke about the current crisis for organized labor in South Africa. He spoke about the need for workers to think about "a vision of alternatives."

tutions dedicated to free goods and services to the poor. Of course universities, as one of the jewels in the expansion of public services, have not been exempt from this attack.

A UNIVERSITY'S MISSION

Universities have not only become smaller in size, but have changed their agenda and harnessed it to the accumulation strategies of corporations, whether high tech or fast food. This rollback is global. It feeds on the fear of young people about their future, taking advantage of students' desperation.

Working people have been engaged in a defensive struggle, trying to hold on in the face of a relentless struggle, and we need to shift from defensive to offensive. In New York, CUNY has already become a site of enormous organizing and struggle, and it is fortunate enough to have a faculty union which sees its responsibility as not just fighting for its narrow sectional interests. The labor movement has increasingly abandoned the wider social perspective. But PSC sees faculty as workers, reaching out to other trade unions for a common strategy around their demands.

Vivek Chibber, Professor of Sociology, New York University

Lessons from Greece

[In Greece] since austerity (2010), public spending on higher education has been cut by nearly 77 percent, salaries of academics roughly 50 percent, full-time faculty positions about 20 percent (and

it is estimated that in the next five years another 40 percent of faculty positions will be lost). Over 150,000 university graduates have left the country to work elsewhere.

Lessons for the US: state reforms are increasingly impossible; austerity should be resisted not mainly on the grounds of economic self-interest but on the grounds of the value of knowledge; universities have to escape being tied to labor markets and speculative capital. It is not possible to do that as a reform; a radical break with the present is needed. The first order is to defend the real ideals and values of higher education.

Peter Bratsis, Assistant Professor of Political Science, Borough of Manhattan Community College

Community in Mexico

Oaxaca teachers struggle to defend public education against the 2012-13 Educational Reform of the Mexican government, which has resulted in 100,000 bilingual rural schools closed; utilities paid for by parents and school construction by private mortgages; the use of standardized test results for hiring, promotion and tenure of teachers, as well as massive firings, no education degree requirement for new teachers, and cuts in salary, pensions and health care.

Politically, there has been a wave of strikes, marches, encampments and civil disobedience which paralyzed the reform in some states like Oaxaca. The response has been

government repression by militarized police: violent destruction of encampments, arbitrary arrests and detentions, the "disappearance" of teachers, and, on June 19, 2016, the Nochistlán Massacre in Oaxaca, when 200 were wounded and six killed. There has also been a wave of administrative repression of teachers through withheld salaries, frozen bank accounts, and arbitrary firings.

The pedagogical struggle is a grassroots-based strategy led by teachers and parents who run community-based schools on alternative educational principles. The schools were developed by popular assemblies, and feature collective work, indigenous languages as the language of instruction along with Spanish, and respect for indigenous knowledges in a decolonized classroom.

Mayem Arellanes Cano, Oaxaca teachers' union

Workers at 'crossroads'

It is an honor to stand before you tonight here in New York and talk to members of a great union. Yours is a social justice union that knows that to win the struggle inside the university we must go outside the university to harness the power of the broader working class.... That is why my being here, our being here from South Africa, Mexico, Turkey, India, etc., is not only an honor but it is a duty and a necessity. To move forward we have to build international links and networks of struggle and solidarity.

It is clear that the South African working class is at a crossroads. Workers can go forward putting their trust in populist big leaders because they promise quick and easy solutions that do not require any effort on the part of the workers. Or they can choose the path of struggle, where they rely upon themselves and their class brothers and sisters for solutions.

ALTERNATIVE VISIONS

The path of struggle requires a vision of alternatives: a vision of a different kind of society, a society of giving and sharing, of compassion and solidarity. A vision that reaches beyond my identity, my organization, my immediate issue, that goes beyond my neighborhood, my college, my university, my city, that even goes beyond my country. It is only behind such a vision that we can build a power that can match the power of the capitalist class. Just as you know from building your union, to build such a power needs time, effort, patience and persistence. But it is the only way forward because capitalist power can no longer provide solutions.

Trevor Ngwane, University of Johannesburg, Chair of the United Front

For a united front

The importance of academics' struggles in Mexico is that we are the sector of the population which can be the glue to consolidate a great national united front, a great movement for the deep transformation of the state. The waves of progressive movements that passed through Bolivia, Ecuador, Brazil and Uruguay need not end, but perhaps peak in Mexico in 2017-18.

Mexicans may show the people of the United States, suffering from a ruler you don't deserve, that we are not only your neighbors, we are your allies in the struggle for a better world. The teachers' struggles in Mexico will transcend borders to link hands with the struggles of US teachers.

María-Teresa Lechuga, instructor at the National Autonomous University of Mexico

The colonial struggle

This week, the government suggested that the University of Puerto Rico should take a \$1 billion budget cut within three years, that is \$333 million per year (more than a quarter of our budget), raise tuition by 30 percent, reduce health benefits by 23 percent and pension benefits by 40 percent, and increase tenure-track course load to 15 credits per semester (it is now at 12 credits). Even if seven out of the 11 campuses were closed or privatized there would still not be enough money to sustain university operations; only the School of Medicine would be able to sustain itself.

Non-tenure-track professors (*docentes sin plaza* or "contract professors"), now the majority of academic staff across the university system, will suffer the most. I and many of my colleagues are looking at a 75 percent salary slash. My personal contingency plan is to start doing Airbnb regularly, and by next year, I will depend on Airbnb as an irregular but main source of income.

Antonio Carmona Báez, Puerto Rican Association of University Professors

Solidarity with Turkey

What can be done for the Turkish academics who have been fired under Tayyip Erdogan's emergency decree? First, we need international support for the organization Academics for Peace, many of whose members were fired for signing a petition against the renewed war on the Kurds. Second, Turkish universities still need collaboration with international universities. Those who acted against the the basic principles of freedom of expression and academic freedom should be punished by not supporting them, not doing projects with them, and so on. Universities who stood firm with academics should be supported.

Third, those colleagues who have been expelled need financial support inside Turkey. We need to find a solution which can work inside Turkey until their travel restriction is lifted.

Kerem Altıparmak, Professor of Human Rights Law, Ankara University



15-MINUTE ACTIVIST

March for the planet

On Saturday, April 29 – the 100th day of the Trump administration – tens of thousands of people are expected to march with the People's Climate Movement to demand better environmental regulations, jobs and environmental justice. Be one of them and recruit a friend to attend this massive march

in Washington, D.C. Now, more than ever, with an administration committed to reversing environmental and social progress, a strong turnout, standing up for the planet and each other is needed. To reserve a spot on a PSC-chartered bus, go to tinyurl.com/PSC-buses. Seats are limited, so reserve your spot now.

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UNION VIEWS

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BUDGET TIME

Albany must address the CUNY crunch

By JAMES DAVIS

There has never been a better moment for the State Legislature to fight for investment in quality, affordable, public higher education. Governor Andrew Cuomo's proposed Excelsior Scholarship, though flawed, has reaffirmed the value of CUNY and SUNY and made "free tuition" for many a realistic policy goal.

But, CUNY needs a substantial increase in state funding to ensure the quality of the education that it currently provides, and far more investment to provide free, quality education to its entire student body, which is likely to continue to grow significantly.

MORE INVESTMENT NEEDED

As undergraduate enrollment has steadily increased at CUNY, state funding has not kept pace. This has meant fewer faculty teaching more students – leading to less student contact with full-time faculty members and more students who cannot enroll in the already full classes they need to graduate.

I teach at Brooklyn College, where over the past five years fewer than half the undergraduate courses were taught by full-time faculty. Sadly, this is higher than the average across CUNY's eight senior colleges. Our students need more contact with full-time professors, not less.

NOT JUST TEACHERS

In addition to teaching and conducting research, we provide academic and career advisement and guide students toward extracurricular opportunities and internships. Despite the high quality of many of our adjunct faculty, they cannot mentor students in these ways, and CUNY's overreliance on a vast, underpaid, contingent workforce shortchanges our students. Increased state funding would pay for more full-time professors to meet our students' needs and support better pay and teaching conditions for adjunct faculty.

CUNY faculty consistently rise to the occasion, absorbing the impact of defunding by taking more and more students into our classes. Student requests for "overtallies" into classes that exceed the enrollment limit, demands from administrators to offer "jumbo" size courses, trips down a hallway to borrow chairs from a neighboring classroom – these are regular occurrences at Brooklyn College.

"Students essentially have to beg multiple faculty members to enter a class," remarked one of my colleagues, "often after the first, second, or even third session." She noted, "Rather than stuffing more bodies into an already crowded room...more funding would allow for reasonable class sizes and give students access to the education they deserve."

IMBALANCES ABOUND

The chair of one department mentioned that despite adding three students to every professor's roster above the enrollment cap in their general education courses, at least 20 additional students per semester are denied overtally requests.

The problem creates a backlog to degree progress. Students often have urgent reasons to take these courses – to graduate on time or to maintain financial aid eligibility. But it is impossible to let everyone in.

EDUCATIONAL QUALITY

CUNY faculty care deeply about our students' educational progress and classroom experience. As professors acquire more students, the incentive is to assign less work – fewer or shorter papers, fewer exams or assessments that are standardized for quick turnaround – but that is not in the students' interest, and faculty absorb the brunt of the impact of defunding. Professors are not averse to staying up later at night to read the extra papers or write the necessary comments, but there are diminishing returns for everyone. Overtallies are a perhaps less visible or even backdoor method of increasing class sizes, one that cheats our students and further squeezes underpaid instructors.



Dave Sanders

Faculty rally in the quad at Brooklyn College. Faculty at the college and other CUNY campuses are under constant pressure to do more with less.

As state legislators weigh the merits of Governor Cuomo's proposed Excelsior Scholarship, equal consideration should be given to educational quality as to access, and a substantial, long-overdue investment should be

made in the City University of New York.

James Davis is the PSC chapter chair for Brooklyn College. A version of this article originally appeared in the Gotham Gazette.

Pay increases April 20

By CLARION STAFF

The final salary increase of 1.5 percent under the 2010-17 Memorandum of Agreement between PSC and CUNY will take effect on April 20, 2017. For full-time employees and graduate assistants, paychecks on April 21 (community colleges) and April 27 (senior colleges) will reflect a few days' increases. The full increased gross biweekly amount will be paid in the subsequent paycheck.

Teaching adjuncts have been paid a "blended" hourly rate throughout the Spring 2017 semester, which "blends" the April 20, 2017, increase with the April 20, 2016, hourly rate.

They will see the full increase in their hourly rate when they next teach after the end of the spring semester.

OTHER TITLES

Everyone else in part-time titles – non-teaching adjuncts, adjunct CLTs and continuing education teachers – will also see a 1.5 percent increase effective April 20, 2017 in the paychecks that cover that period.

See the salary schedules on the union website (tinyurl.com/cuny-salary-schedule) to find the annual salary and hourly rates effective April 20, 2017.

Faculty absorb the impact of defunding